

# COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/555,060	Jean-Pierre Kinet	065691-0413
INTERNATIONAL APPLICATION NO.		
PCT/IB04/01874		
LA. FILING DATE	PRIORITY DATE	
04/28/2004	04/28/2003	

22428  
 FOLEY AND LARDNER LLP  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

CONFIRMATION NO. 3076  
 371 FORMALITIES LETTER  
  
 \*OC000000019987678\*

Date Mailed: 08/11/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/28/2005
- Copy of the International Search Report filed on 10/28/2005
- Preliminary Amendments filed on 10/28/2005
- Information Disclosure Statements filed on 10/28/2005
- Biochemical Sequence Diskette filed on 10/28/2005
- Biochemical Sequence Listing filed on 10/28/2005
- Small Entity Statement filed on 10/28/2005
- U.S. Basic National Fees filed on 10/28/2005
- Priority Documents filed on 10/28/2005
- Specification filed on 10/28/2005
- Claims filed on 10/28/2005
- Abstracts filed on 10/28/2005

DOCKETED

BY sid DATE 8/17/06

TICKLER

BY P DATE 8-17-06

ACTION (DUE DATE) Res. to  
701.0901/001  
(10/11/06)

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.37 must be submitted with the missing items identified in this letter.

RECEIVED

AUG 16 2006

FOLEY & LARDNER  
 MADISON, WI  
 IP DOCKETING

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

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PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/555,060	PCT/IB04/01874	065691-0413

FORM PCT/DO/EO/905 (371 Formalities Notice)

IAP7 Rec'd PCT/PTO 14 SEP 2006

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>065691-0413</b>
INTERNATIONAL APPLICATION NO. PCT/IB2004/001874	INTERNATIONAL FILING DATE 04/28/2004	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/555,060
PRIORITY DATE CLAIMED 04/28/2003		
TITLE OF INVENTION USE OF TYROSINE KINASE INHIBITORS FOR TREATING CEREBRAL ISCHEMIA		
APPLICANT(S) FOR DO/EO/US Jean-Pierre KINET et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 to 20 below concern other document(s) or information included:</b>		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information: OTHER</p>		

FORM PTO-1390 (Modified)

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) 10/555,060		INTERNATIONAL APPLICATION NO. PCT/IB2004/001874	ATTORNEY'S DOCKET NUMBER 065691-0413																																																																																																																																																		
<p>The following fees have been submitted:</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$</td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$100</td> <td>\$</td> </tr> <tr> <td>All other situations</td> <td>\$200</td> <td></td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td></td> </tr> <tr> <td>International Search Report prepared and provided to the Office</td> <td>\$400</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$500</td> <td>\$</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE 21, 22 and 23 =</b></td> <td>\$</td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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See 37 CFR 1.27. Fees above are reduced by ½.         </td> </tr> <tr> <td colspan="5"><b>SUBTOTAL =</b> \$ 65.00</td> </tr> <tr> <td colspan="5">Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="5"><b>TOTAL NATIONAL FEE =</b> \$</td> </tr> <tr> <td colspan="5">Fee for recording the enclosed assignment (37 CFR 1.21(h)). 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Provide credit card information and authorization on PTO-2038.     </td> </tr> <tr> <td colspan="5">       NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.     </td> </tr> <tr> <td colspan="5">       SEND ALL CORRESPONDENCE TO:        Foley &amp; Lardner LLP        Customer Number: 22428     </td> </tr> <tr> <td colspan="5">         SIGNATURE        Joseph P. Meara        NAME        44,932        REGISTRATION NUMBER     </td> </tr> </table>					21. <input type="checkbox"/> Basic national fee	\$300	\$	22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	\$100	\$	All other situations	\$200		23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100		International Search Report prepared and provided to the Office	\$400		All other situations	\$500	\$	<b>TOTAL OF ABOVE 21, 22 and 23 =</b>		\$	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					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